UNITED STATES DISTRICT COURT DISTRICT OF NEW JERSEY

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CMT DEVELOPERS LLC, AND DAVID KRAMER,

Plaintiffs/Counterclaim-Defendants,

-against-

Case No.: 3:21-cv-12517

Hon. Zahid N. Quraishi

NOTICE OF MOTION

ACIER HOLDINGS LLC, KNIGHT CONSTRUCTION, LLC, DOV ZABROWSKY, MOSHE GLATZER, AND JACOB GLATZER,

Defendants/Counterclaimants.

PLEASE TAKE NOTICE that, upon the Declaration of David Kramer, dated October 27, 2021, the exhibits thereto, and accompanying Memorandum of Law, the Plaintiffs will move this Court, before the Honorable Zahid N. Quraishi, United States District Judge, at a time to be determined by the Court, at the United States District Court for the District of New Jersey, 402 East State Street, Trenton, NJ 08608, for an Order: dismissing the Defendants/Counterclaimants' First Counterclaim in its entirety, and with prejudice, pursuant to Fed. R. Civ. P. 12(b)(6); awarding Defendants their reasonable attorneys' fees and costs in connection with defending this action; and granting such other relief as the Court may deem just and proper.

Dated: October 27, 2021

New York, New York

Respectfully submitted,

By:

Aaron J. Solomon, Esq. OVED & OVED LLP Attorneys for Plaintiffs 401 Greenwich Street New York, NY 10013

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